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TERMINAL DISCLAIMER TO OBLVIAE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION	Docket Number (Optional) 00/162 NUT
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In re Application of: Nico N. RACZEK

Application No.: 10/015,913

Filed: 10/31/2001

For: Use of an Acid Preparation as Feed Additive In Farm Animal Husbandry
Nutriplus Nutrition Specialties &

The owner, Food Ingredients GmbH, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/057,212, filed on Jan. 24, 2002 of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is released, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record.

K. Schweitzer 3/23/04

Signature

Date

Klaus Schweitzer (Limited Recognition)

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Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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Charlotte, NC 28211
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ProPat LLC

Fax

To: USPTO - Deposit Account

From: Claire Wygand

Attn: LaTrice Sims

Fax: 703 308-5077

Pages: 2

Phone:

Date: 4/9/2004

Re: Discrepancy on Deposit Account charges cc:
for App. No. 10/015,913 Terminal

Disclaimer

Charge of \$110.00 Sequence No. 1

Our ref: 00162 NUT

Dear LaTrice:

ProPat's Deposit Account 50-2193 has been erroneously charged twice for a terminal disclaimer for Application No. 10/015,913. Only one terminal disclaimer was submitted March 23, 2002. Please refund the money to our Deposit Account?
Thank you.

Claire

Claire Wygand

ProPat, LLC

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Name:

April 2004

502193

Attention:

PROPAT, LLC

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City:

2812 CROSBY ROAD

State:

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NC

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04/01	2	10080198	01/028 NUT 1281		\$110.00	\$4,446.00
04/01	3	10080198	01/029 NUT 1201		\$172.00	\$4,274.00
04/06	1	10015913	00/182NUT 1251		\$110.00	\$4,164.00
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04/07	1	10015913	00/182NUT 1814		\$110.00	\$3,944.00
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